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September 26, 2002

Ms. Marlene H. Dortch
Secretary, Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Miscellaneous Proceedings Concerning Advanced Telecommunications
Capability -- CC Docket Nos. 98-147, 01-338 and 02-33

Ex parte presentation pursuant to C.F.R. §1.1206(a)(1)

Dear Ms. Dortch:

Catena Networks, Inc. ("Catena") met yesterday with Commissioner Martin, along with Daniel Gonzales of the Commissioner's staff. Representing Catena were Gary Bolton, Doug Cooper and myself. Catena demonstrated how its technology can support the widespread availability of broadband services to unserved and underserved markets, but that deployment of its equipment was being stifled by regulatory uncertainty and adverse State decisions. Catena emphasized the need for prompt action by the Commission -- no later than the end of the year target previously indicated by the Commission and incorporated in the Court's stay of its mandate in overturning the FCC's unbundling and line sharing rules.

Carriers' capital budgets for 2003 are being finalized this fall and the majority of capital spending occurs in the first half of the year (to realize the maximum revenue in 2003 from this investment). If the Commission fails to act promptly and decisively prior to the end of the year, the Commission's actions in addressing these critical issues will not be translated into orders for new equipment until 2004. Such delays will have significantly harmful impacts on the already decimated telecommunications manufacturing sector and the U.S. economy as a whole.

Catena thus renewed its call for the FCC to act promptly and to adopt national policies that will eliminate the current disincentives to investment by the facilities based

providers in broadband technologies. Please contact the undersigned if you have any questions with regard to this submission.

Respectfully submitted,

Stephen L. Goodman
Counsel for Catena